**HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY**

**Writ Petition No. 2994 of 2005**

**Dated: 19th September, 2005**

Between:

Sri Alladi Nagarayana S/o.Chantaiah, Contractor,

R/o.H.No.6-109, Huzurabad, Karimnagar District.

**..... PETITIONER**

AND

1. The Superintendent Engineer (RWS),

Panchayat Raj Department,

Karimnagar District at Karimnagar and others.

**.....RESPONDENTS**

**HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY**

**Writ Petition No. 2994 of 2005**

**ORDER:**

This writ petition has been filed by Alladi Nagarayana with a prayer to issue a writ, order or direction more particularly one in the nature of Mandamus by declaring the impugned action of the respondents in not refunding the E.M.D. and F.S.D. amounts for a tune of Rs.2,40,000/- as arbitrary, illegal and contrary to Law besides violative of Articles 14, 19(1)(g) and 21 of the Constitution of India.

2. The petitioner deposited a sum of Rs.2,40,000/- towards E.M.D. and F.S.D. with the respondents for various works allotted to him. It is the case of the petitioner that

he completed all the works and therefore, he is entitled to get back his E.M.D. and F.S.D. amounts from the respondents. It is his further case that the Chief Engineer, RWS, Hyderabad, has already issued proceedings No. B1(1)/2410/2003, dated 20.01.2004, for release of the E.M.D. and F.S.D. amounts and thereafter the Executive Engineer (RWS), Panchayat Raj Department, Karimnagar District, at Karimnagar-2nd respondent addressed a letter to the Pay and Accounts Officer, L.M.D.Colony, at Karimnagar-3rd respondent for repayment of E.M.D. and F.S.D. Since the respondents have not given effect to the orders passed by the Chief Engineer (RWS), Hyderabad, in releasing the E.M.D. and F.S.D. amounts, the petitioner has chosen to file this writ petition.

3. Heard learned counsel appearing for the petitioner and learned Government Pleader for Panchayat Raj and Rural Development appearing for the respondents.

4. Learned counsel appearing for the petitioner submits that the petitioner completed all the contract works and therefore, he is entitled to get back his E.M.D. and F.S.D. amounts. He further submits that the Chief Engineer (RWS), Hyderabad, has issued proceedings for release of the E.M.D. and F.S.D. amounts, but, the same have not been given effect and thus the petitioner is constrained to approach this Court.

5. Learned Government Pleader for Panchayat Raj and Rural Development appearing for the respondents, on instructions from the respondents, submits that notices have been issued to the petitioner to submit the details of E.M.D. and F.S.D. particulars, but, the petitioner has not furnished the same and therefore, E.M.D. and F.S.D. amounts could not be paid. He placed on record Photostat copies of the letters addressed to the petitioner and also Photostat copies of the postal acknowledgements.

6. Record placed before me discloses that some particulars have been called for from the petitioner and it is for the petitioner to furnish the same so as to enable the respondents to return the E.M.D. and F.S.D. amounts.

7. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the petitioner to furnish the particulars called for in the letters dated

25.02.2005, 09.03.2005, 01.04.2005 and 07.04.2005 within two weeks and thereafter the respondents have to make the payment, if any, within four weeks.

8. Accordingly, the writ petition is disposed of. No costs.

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**B.SESHASAYANA REDDY, J.**

**Dated: 19th September, 2005.**

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